

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:	§	Case No. 19-10926-tmd
	§	
ORLY GENDER,	§	
	§	
Debtor.	§	Chapter 7

**CHAPTER 7 TRUSTEE’S RESPONSE IN SUPPORT OF MOTION FOR
CONTINUANCE, TO CONSOLIDATE HEARINGS AND FOR ENTRY OF AN ORDER
RELATED TO DISCOVERY**

TO THE HONORABLE TONY M. DAVIS, UNITED STATES BANKRUPTCY JUDGE:

COMES NOW Ron Satija, Trustee (“Trustee”), the duly appointed and acting trustee in the above-captioned bankruptcy case, and hereby files his response (the “Response”) in support of the *Motion for Continuance, to Consolidate Hearings, and for Entry of an Order Related to Discovery* [Dkt. No. 106] (the “Motion”), and would show the Court as follows:

1. Ron Satija, Chapter 7 Trustee is the duly appointed and serving trustee in this case which was filed on July 12, 2019 (the “Petition Date”).
2. On October 18, 2019, Debtor filed the Motion requesting that the Court create a coordinated discovery schedule that would address the chaos that has been created in this case by various parties sending a series of subpoenas without having provided notice to all parties-in-interest in the contested matters addressed by those subpoenas. The Motion further requested that the *Motion to Dismiss or Alternative to Transfer Venue* [Dkt. No. 32] (the “MTD”), the Chapter 7 Trustee’s *Application Under Federal Rule of Bankruptcy Procedure 9019 and Local Rule 9019 to Approve Compromise* [Dkt. No. 52] (the “9019 Application”), and the *Application to Employ Special Counsel, Kasowiz Benson Torres LLP* [Dkt. No. 59] (the “KBT Application”)¹ be consolidated.

¹ For purposes of brevity, the KBT Application includes the Expedited Motion to Show Cause [Dkt. No. 42] and the Show Cause Order [Dkt. No. 43].

3. The several joinders filed to the MTD [Dkt. Nos. 108 and 124] (the “Joinders”) specifically raise challenges to the 9019 Application and the KBT Application as bases for the relief requested.² Because the parties seeking relief under the MTD through the Joinders have challenged the substance of the 9019 Application and the KBT Application in the context of the MTD, in the interests of preventing duplicate litigation over the 9019 Application and the KBT Application, the hearings on those matters should be consolidated with the hearing on the MTD.

4. In order to provide each of the parties-in-interest to these several contested matters their due process rights to participate therein, and to eliminate the additional costs associated with duplicative discovery and running fights over discovery issues, the Trustee also supports the entry of a scheduling order that will eliminate the subpoena chaos that has occurred to date.

WHEREFORE, the Trustee respectfully requests that the Court continue the hearing on the MTD and consolidate it with the hearings on the 9019 Application and the KBT Application, and that a scheduling order be entered in order to control discovery related to these contested matters.

Respectfully submitted,

By:/s/ Ron Satija

Ron Satija, Chapter 7 Trustee

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7 TRUSTEE

² See, e.g., Joinder of Dalia Genger, Dkt. No. 124, at ¶¶ 3, 5, 6, 7, 8, etc.

CERTIFICATE OF SERVICE

I hereby certify that on this the 21st day of October, 2019, I electronically filed this Response with the Clerk of Court using the CM/ECF system which will send notification of such filing to those receiving electronic service, and service was made via U.S. First Class Mail within two business days to those listed below and those on the service list appended herewith.

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By: /s/ *Brian T. Cumings*
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